



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
SOUTH PACIFIC DIVISION, CORPS OF ENGINEERS  
1455 MARKET STREET  
SAN FRANCISCO, CALIFORNIA 94103

April 15, 2011

Mr. Phil Isenberg  
Chair, Delta Stewardship Council  
980 Ninth Street, Suite 1500  
Sacramento, CA 95814

Dear Chairman Isenberg;

The Delta Stewardship Council (Council) has invited comments on the Second Staff Draft Delta Plan, dated March 18, 2011. Thank you for your request and ongoing communications. This letter provides U.S. Army Corps of Engineers (USACE) comments on the Second Staff Draft Delta Plan.

The missions of USACE include Flood Risk Management, Ecosystem Restoration, Navigation, Environmental Protection, Recreation, and Emergency Preparedness and Response. The Staff Draft Delta Plan addresses elements in each of these mission areas. Our programs in, or affecting, the Delta include Planning, Operation and Maintenance, and Regulatory. USACE and our non-Federal partners have many active studies and projects throughout the Central Valley and the State. Program and study descriptions for USACE efforts within the legal Delta are provided in the first attachment.

USACE is responsible for flood management operations for dams and reservoirs throughout the system, including coordinating and managing channel flows and releases from 31 USACE facilities and 20 Section 7 dams in the State. USACE also has regulatory jurisdiction, primarily under the following three authorities: (1) Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States (33 USC 1201 et seq.) (Section 404); (2) Section 10 of the Rivers and Harbors Act for working in navigable waters (33 USC 403) (Section 10); and (3) Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) for the alternation of a Federal project (to include sea wall, jetty, dike, levee, wharf, pier, or other work) (Section 408). To facilitate your consideration of permitting requirements and processes that may apply to the Delta Plan, we encourage you to identify a point of contact for our Regulatory staff.

Thank you for the opportunity to review and comment on the Second Staff Draft Delta Plan. The comments are listed in attachment 2.

FOR THE COMMANDER

Paul J Robershotte  
Special Advisor, Integrated Water Resources

***Building Strong on the Cornerstone of the Southwest!***

**U.S. Army Corps of Engineers (USACE)  
Active Planning Studies in the Delta (updated)**

**Delta Islands and Levees Feasibility Study**

Partners: California Department of Water Resources (DWR), USACE Sacramento District

Description: This feasibility study is USACE's mechanism to participate in a cost-shared solution to a variety of water resources needs for which we have the authority. Results of state planning efforts will be used to help define problems, opportunities, and specific planning objectives. The feasibility study will address ecosystem restoration and flood risk management, and may also investigate related issues such as water quality and water supply. USACE and DWR signed a Feasibility Cost Sharing Agreement (FCSA) in May 2006.

Website: <http://www.spk.usace.army.mil/projects/civil/Delta/News.html>

Contacts: Mr. Dennis Clark, Project Manager, [Dennis.G.Clark@usace.army.mil](mailto:Dennis.G.Clark@usace.army.mil); Ms. Brooke Schlenker, Lead Planner, [Brooke.E.Schlenker@usace.army.mil](mailto:Brooke.E.Schlenker@usace.army.mil)

**CALFED Levee Stability Program**

Partners: DWR and up to 40 Reclamation Districts, USACE Sacramento District

Description:

Program - The goal of the Levee Stability Program is to provide short term "quick fixes" on fragile Delta levees. The CALFED Act (PL 108-361) directed the USACE to deliver a report that identified and prioritized potential levee stability projects in the Delta that could be carried out with the authorized \$90 million in Federal funds. An additional \$106 million was authorized to be appropriated by Section 3015 of WRDA 2007. To quickly identify critically needed projects with active non-Federal support, the USACE invited Delta stakeholders to submit project proposals with letters stating their willingness to participate as cost-sharing sponsors. In response, Delta area Reclamation Districts and flood management agencies submitted 68 project proposals totaling more than \$1 billion in estimated costs. USACE evaluated proposals and prioritized potential projects according to how well they met USACE environmental, economic, and other implementation criteria. The USACE short-term strategy is to move quickly to construction on high priority levee reconstruction projects identified in that report. The authorized \$196 million of Federal funds, plus the required non-Federal funds, would be an important first step to address Delta-wide levee system needs. The long-term strategy will be developed through the Delta Islands and Levees Feasibility Study process. The project delivery process includes: Project Management Plan (PMP)/FCSA development; Project Implementation Report (PIR); SPD approval; Project Partnership Agreement (PPA) execution; design and construct; and operate and maintain.

Projects – The first project underway through the Levee Stability Program is located at Horseshoe Bend on Bethel Island. Bethel Island Municipal Improvement District and USACE signed a Feasibility Cost Sharing Agreement for this project on July 13, 2010. PMP's are currently under development for McCormack-Williamson Tract, River Junction, Walnut Grove, Bacon Island, and Brannan-Andrus Tract.

Emergency Response Planning – A Memorandum of Agreement was signed between USACE and DWR, allowing the USACE-DWR to initiate GIS Flood Contingency Mapping and Phase 1 of an Emergency Response Plan for the Delta region.

Website: <http://www.spk.usace.army.mil/projects/civil/Delta/News.html>

Contacts: Mr. Dennis Clark, Project Manager, [Dennis.G.Clark@usace.army.mil](mailto:Dennis.G.Clark@usace.army.mil); Ms. Brooke Schlenker, Lead Planner, [Brooke.E.Schlenker@usace.army.mil](mailto:Brooke.E.Schlenker@usace.army.mil)

### **Central Valley Integrated Flood Management Study**

Partners: DWR and Central Valley Flood Protection Board, USACE Sacramento District

Description: This is a multi-objective study that will balance flood risk management, ecosystem restoration, and other water resource purposes and provide a long-range management program to improve the flood carrying capacity, while restoring and protecting environmental features. It will provide a framework for a management plan that can be effectively implemented and supported by local, state, and Federal agencies. The study area includes the entire Sacramento River Basin, San Joaquin River and the Delta Basin in Central California. It encompasses about 43,000 square miles, 1,613 miles of federal levees, 1,200 miles of floodways, 56 flood control features, and 1/3 of the state water supply. Numerous projects are within the study area including the Sacramento River Bank Protection Project, Folsom Dam, West Sacramento, and the Lower San Joaquin River and Tributaries Project.

Website: n/a

Contacts: Mr. David VanRijn ([David.P.VanRijn@usace.army.mil](mailto:David.P.VanRijn@usace.army.mil)); Mr. Miki Fujitsubo ([Miki.Fujitsubo@usace.army.mil](mailto:Miki.Fujitsubo@usace.army.mil))

### **Lower San Joaquin Feasibility Study**

Partners: Central Valley Flood Protection Board, San Joaquin Area Flood Control Association and USACE Sacramento District.

Description: The purpose of this feasibility study is to determine if there is a Federal interest in providing flood risk management and ecosystem restoration improvements along the Lower (northern) San Joaquin River. The Lower San Joaquin River study area includes the San Joaquin River from the Mariposa Bypass downstream to, and including, the city of Stockton. The study area also includes the channels of the San Joaquin River in the southernmost reaches of the Delta: Paradise Cut and Old River as far north as Tracy Boulevard and Middle River as far north as Victoria Canal. The floodplains of the lower San Joaquin River and its tributaries are also included in the study area. The Central Valley Flood Protection Board and USACE signed a Feasibility Cost Sharing Agreement on June 25, 2010.

Website: <http://www.spk.usace.army.mil/projects/civil/Delta/News.html>

Contacts: Ms. Michelle Williams, Project Manager, [Michelle.E.Williams@usace.army.mil](mailto:Michelle.E.Williams@usace.army.mil)

### **Sacramento River Deep Water Ship Channel Project**

Partners: Port of West Sacramento and USACE San Francisco District

Description: The Sacramento River Deep Water Ship Channel Project (SRDWSC) is a Congressionally-authorized project. Currently, USACE and the Port are conducting a Limited Reevaluation Study to recommend navigation improvements for Federal funding and preparing a joint SEIS/SEIR to evaluate the action of resuming construction of navigational improvements to the SRDWSC. Technical studies that are in progress include, hydrodynamic and salinity modeling, beneficial reuse survey, and ship simulation studies. The draft SEIS/R was released in February 2011.

Website: <http://www.sacramentoshipchannel.org>

Contacts: Mr. Neil Hedgecock, Project Manager, [Neil.C.Hedgecock@usace.army.mil](mailto:Neil.C.Hedgecock@usace.army.mil); Dr. Bill Brostoff, Environmental Lead, [William.N.Brostoff@usace.army.mil](mailto:William.N.Brostoff@usace.army.mil)

### **San Francisco Bay to Stockton Navigation Improvement Project**

Partners: Port of Stockton and the Contra Costa County Water Agency and USACE San Francisco District.

Description: The SF Bay to Stockton Deep Water Ship Channel Project is a Congressionally-authorized project. A General Reevaluation Report is being prepared to determine the feasibility of modifying the current dimensions of the West Richmond, Pinole Shoal, Suisun Bay, and Stockton Ship Channels, which are currently maintained to -35 feet MLLW and provide access to oil terminals, industry in Pittsburg, and the Port of Stockton. Current technical studies include hydrodynamic, salinity and dissolved oxygen modeling, and beneficial reuse survey to identify additional dredged material placement sites in the project area.

Website: <http://www.sfbaytostockton.org>

Contacts: Mr. Neil Hedgecock, Project Manager, [Neil.C.Hedgecock@usace.army.mil](mailto:Neil.C.Hedgecock@usace.army.mil) ; Ms. Bonnie Hulkover, Environmental Lead, [Bonnie.Hulkover@usace.army.mil](mailto:Bonnie.Hulkover@usace.army.mil)

### **Delta Dredged Sediment Long Term Management Strategy (Pinole Shoal Management Study)**

Partners: USACE San Francisco and Sacramento Districts, U.S. Environmental Protection Agency, California Department of Water Resources, California Bay Delta Authority, and Central Valley Regional Water Quality Control Board

Description: The Delta Long-Term Management Strategy (Delta LTMS) is a cooperative planning effort to coordinate, plan, and implement beneficial reuse of sediments in the Sacramento and San Joaquin River Delta (Delta). Five agencies (USACE, USEPA, DWR, California Bay-Delta Authority, and CVRWQCB, and other stakeholders have begun to examine Delta dredging, reuse, and disposal needs. The Delta LTMS will explore ways to coordinate and manage dredging, planning, regulatory approval, and implementation to protect and enhance Delta functions, ecosystem, and water quality. The goals of the LTMS are to manage dredging activities to:

- Support and maintain Delta channel functions for navigation, flood control, water conveyance, and recreation
- Maintain and stabilize Delta levees that protect land-based activities, water conveyance, and terrestrial ecosystems
- Protect and enhance water quality for Delta water supply and ecosystem function

Website: <http://www.deltaltms.com>

Contacts: Mr. Al Paniccia, Project Manager, [Al.Paniccia@usace.army.mil](mailto:Al.Paniccia@usace.army.mil); Dr. Bill Brostoff, Study Manager, [William.N.Brostoff@usace.army.mil](mailto:William.N.Brostoff@usace.army.mil)

### **San Pablo Bay Watershed and Suisun Marsh Ecosystem Restoration, CA**

Partners: USACE San Francisco District and The Coastal Conservancy, with active engagement from The Bay Institute, Marin County, Contra Costa County, Sonoma County, Napa County, Solano County, the San Francisco Bay Joint Venture, the North Bay Watershed Association, and more.

Description: The San Pablo Bay (SPB) Watershed is the northern arm of San Francisco Bay drainage basin, which drains more than 40 percent of California's surface area. The SPB Watershed is within the boundaries of Marin, Sonoma, Napa, Solano and Contra Costa Counties, California and has opportunities to increase the states' wetland acreage by over five percent.

Suisun Marsh is located in southern Solano County, California about 35 miles northeast of San Francisco. The watershed study identifies and implements Federal participation for restoration projects and resource protection opportunities of these areas. Additionally, it may look at levee stability in the Suisun Marsh. As the largest contiguous brackish water marsh remaining on the west

coast of North America, the Marsh is a critical part of the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta) estuary ecosystem. A final Watershed Report would:

- Identify high priority project proposals and management measures
- Set priorities for restoration

In accordance with WRDA 2007 Section 5053(c), prioritizing projects for implementation, USACE will be able to consult with and consider the priorities of public private entities that are active in the San Pablo Bay and Suisun marsh areas. \$40M is authorized to implement restoration projects in accordance with general procedures for Section 206 Continuing Authorities Program.

Contacts: Ms. Karen Rippey, Project Manager, [Karen.E.Rippey@usace.army.mil](mailto:Karen.E.Rippey@usace.army.mil); Ms. Jaime Tatman, Planner, [Jaime.L.Tatman@usace.army.mil](mailto:Jaime.L.Tatman@usace.army.mil)

## **USACE Comments on the Second Staff Draft Delta Plan**

Page 3, lines 32-35. Comment: Recommend that public safety and flood risk management be explicitly acknowledged as part of “the foundation of all state water management policies.”

Page 4, Line 17-29. Comment: The term “protected” is misleading. It would be more accurate and informative to focus this paragraph on reducing and/or better managing risks.

Page 6, lines 12-14. Comment: Will routine operation and maintenance of the flood management system and the navigation system also be “exempted”? Will emergency flood response and rehabilitation actions be “exempted”?

Page 9, Lines 9-12. Comment: Does this include flood risk management and navigation projects/actions?

Page 23, lines 26-30: Comment: This last phrase is problematic. It is difficult, if not impossible, to “guarantee sufficient funds” for unknown activity.”